

HOUSE BILL 446

By Maddox

AN ACT to amend Tennessee Code Annotated, Title 8;
Title 12 and Title 49, relative to employees of
public institutions of higher education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following language as a new, appropriately designated section:

§ 49-7-1__.

(a) Notwithstanding the provisions of § 12-4-103 to the contrary, any employee of a state institution of higher education may bid on or enter into a contract with the institution, or may benefit financially or otherwise from a contract between the institution and an entity in which the employee has an interest or by which the employee is employed, if the employee is not substantially involved in the preparation of or does not participate in the making of the contract as part of the employee's duties with the institution.

(b) An employee of an institution of higher education is "substantially involved in the preparation of or participated in the making of a contract", if the employee as an employee of the state institution of higher education is a signatory to the contract, has the authority to approve or disapprove the contract , provides significant factual or specific information or advice or recommendations in relation to the negotiated terms of the contract or influences or attempts to influence the award of the contract.

SECTION 2. This act shall take effect July 1, 2009, the public welfare requiring it, and shall apply to contracts entered into on or after that date.